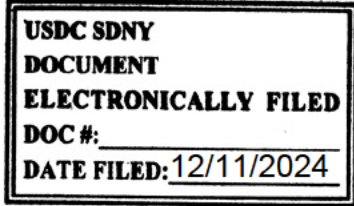




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The request is withdrawn without prejudice as requested by Defendants at Dkt. 713.

December 10, 2024

Via ECF

The Honorable Robert W. Lehrburger  
500 Pearl Street, Room 1960  
United States Courthouse  
New York, NY 10007

SO ORDERED:

12/11/2024

HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Re: *Hedgeye Risk Management, LLC v. Dale*, No. 21-cv-3687 (ALC) (RWL)

Dear Judge Lehrburger:

We hesitate to bother the Court, but it appears that once again Hedgeye is making it difficult for us to share summary judgment briefs with our clients Darius Dale and Steven Lamar. The parties exchanged a full round of summary judgment opposition briefs last Friday, December 6, 2024. At that time, defense counsel, as it routinely does, requested of Hedgeye that it promptly advise of any proposed redactions should Hedgeye wish to treat certain contents as for attorneys' eyes only. Hedgeye represented that it would get back to us, but has not done so. We are of course interested in getting the briefs to our clients as soon as possible, so that they can be fully informed of these proceedings and assist us in preparing reply briefs. We have already advised Hedgeye's counsel that they are free to share all briefing with Hedgeye.

It should not take long for Hedgeye to propose redactions, since this Court provided guidance on the scope of appropriate redactions in a prior ruling (Dkt. 706), and much of the current briefing covers the same factual terrain as the prior briefing. We will send the briefs by separate email for the Court's reference. We ask that the Court issue an order permitting us to share them with our clients. Alternatively, if Hedgeye is willing to meet and confer with us promptly, in the hope of limiting any issues, we would be glad to do so, so long as all letter briefing over any remaining disputes can be completed by the end of this week and not further delay our ability to share important pleadings with our clients.

Respectfully submitted,

/s/ Jonathan P. Bach

Jonathan P. Bach